

## Are you using that old gun?

If so, you are probably not getting the best of results, and it costs just as much to shoot a high-grade, expensive cartridge in a poor gun as it does to shoot it in an up-to-date

## L. C. SMITH OR PARKER GUN

A new lot of these guns just in will interest you. Hammerless Ejector, Hammerless and Hammer Guns in 12 and 18 gauge, special light weights and fitted with the latest rubber butt plates. It will cost you nothing to examine this fine line, whether you decide to replace your old gun or not.

## E. O. Hall &amp; Son, Ltd.

## Preservation Of the Teeth

Is an important matter. There are hundreds of tooth powders, washes, etc., but the production of an article that is

HARMLESS, EFFECTIVE,

ANTISEPTIC, AGREEABLE, is really the work of the chemical expert.

EUTHYMOL TOOTH PASTE, supplies all these requisites. Have you tried it? If so, you are now using it and will no doubt continue. This is always the result.

In Collapsible Tubes, 25c each.

## Chambers Drug Co., Limited,

Corner Fort and King Streets

121 HOTEL ST.

## W. J. ENGLAND PLUMBING CO.

WHEN YOUR PLUMBING IS OUT OF ORDER CALL US UP—Phone Main 323

## Port Costa Flour

WHITE AS SNOW.

## BY AUTHORITY

## Notice to Candidates For Election To County Offices.

Territory of Hawaii, Secretary's Office.

Notice is hereby given that, whereas it is required by law that candidates for election to county offices on the island of Oahu shall file their nominations with the Secretary of the Territory not less than Ten Days before the Special Election for County Officers, it will be necessary that said nominations be filed in this office not later than Five O'Clock on the afternoon of Friday, October 23rd, A. D. 1903.

No person shall be eligible to a County or District office unless of the age of twenty-one years, a citizen of the Territory, and an elector of the County or District in which the duties of the office are to be exercised, and a resident therein for three years immediately preceding such election and no person shall hereafter be eligible to the office of District Attorney who shall not have been admitted to practice in the Supreme Court of the Territory of Hawaii.

Each nomination must be accompanied by a deposit of Twenty-five Dollars, and be signed by not less than Twenty-five duly qualified Electors of the County for which such election is to be held.

G. R. CARTER, Secretary of the Territory.  
C. R. BUCKLAND, Electoral Registrar.  
Capitol, Honolulu, October 1st, 1903.  
Oct. 1, 3, 6, 8, 10, 12, 14, 17, 19, 21, 23.

## JUDGE GEAR DECIDES

(Continued from Page 1.)

adopted was for the purpose of once for all settling the question as to whether Congress or the local Legislature should have control of the liquor legislation for this Territory.

If the contention of defendant's counsel is correct, this provision must be interpreted so as to allow the unlimited and unregulated sale of liquor in this Territory until the Territorial Legislature shall act, thus giving to the amendment an effect diametrically opposite to that which even counsel for defendant contends was the intent of Congress, and instead of absolute prohibition we will have an unlimited and absolutely unrestricted liquor traffic.

A defendant indicted for keeping a saloon contended that the law under which he was tried was "repealed by an implication by the adoption of the fifth amendment to the Constitution of Maine." The Court said:

"Nor can we agree to the proposition that by the adoption of the amendment to the Constitution all statute laws in reference to subject matter embraced in the amendment were repealed by implication. That the Legislature never intended any such repeal of existing laws in reference to the suppression of the sale of intoxicating liquors, is too manifest to require discussion. The whole matter was left for legislative enactment, as provided by the amendment." State vs. Dorr, 82 Me. 212, 19 At. Rep. 171.

I agree with the reasoning of these authorities and believe the case at bar falls within the principles laid down in the cases cited. These cases go even farther than the case at bar, for under both the Constitution of Maine and North Dakota it was intended to have absolute prohibition in the liquor traffic, and yet it was held that the former liquor laws were not repealed, and would not be until there had been legislative action. In this case it is clear that Congress did not intend to prohibit the liquor traffic, but on the contrary, to allow it under the "regulations and restrictions" of the Legislature. In this connection it seems to me appropriate to quote from the United States Supreme Court as to what is commonly called "the right of citizens" to engage in the liquor traffic, and their statement as to the constitutionality of the liquor laws and the right of the Legislature to regulate the traffic. A defendant had been found guilty of selling liquor without license, and claimed that this arrest was illegal, as the ordinance under which he was convicted was unconstitutional.

The Court in a unanimous opinion said, per Field, J.: "It is undoubtedly true that it is the right of every citizen of the United States to pursue any lawful trade or business, under such restrictions as are imposed upon all persons of the same age, sex and condition. But the possession and enjoyment of all rights are subject to such reasonable conditions as may be deemed by the governing authority of the country essential to the safety, health, peace, good order and morals of the community. Even liberty itself, the greatest of all rights, is not untrammelled license to act according to one's own will. It is only freedom from constraint under conditions essential to the equal enjoyment of the same right by others. It is, then, liberty regulated by law. \* \* \* As to the enjoyment of property, the rule is general that it must be accompanied with such limitations as will not impair the equal enjoyment by others of their property. Sic utere tuo ut alienum non laedas is a maxim of universal application."

"By the general concurrence of opinion of every civilized and Christian community, there are few sources of crime and misery to society equal to the dram-shop, where intoxicating liquors, in small quantities, to be drunk

## Gasoline Lamps For Sale.



## THE LATEST IMPROVED

100 to 800 Candle Power.

The Cheapest and Brightest Light.

All Lamps guaranteed.

AGENTS WANTED

CALL ON

HAWAIIAN TRADING CO., Ltd  
1142 Fort Street, Love Building.

at the time, are sold indiscriminately to all parties applying. The statistics of every State show a greater amount of crime and misery attributable to the use of these ardent spirits obtained at these retail liquor saloons than to any other source. The sale of such liquors, in this way, has therefore been at all times, by the courts of every State, considered as the proper subject of legislative regulation. Not only may a license be exacted from the keeper of the saloon before a glass of his liquors can thus be disposed of, but restrictions may be imposed as to the class of persons to whom they may be sold, and the hours of the day and the days of the week on which the saloons may be opened. Their sale in that form may be absolutely prohibited. It is a question of public expediency and public morality, and not of Federal law. The police power of the State is fully competent to regulate the business—to mitigate its evils, or to suppress it entirely. There is no inherent right in a citizen to thus sell intoxicating liquors by retail; it is not a privilege of a citizen of the State or of a citizen of the United States. As it is a business attended with danger to the community, it may, as already said, be entirely prohibited or be permitted under such conditions as will limit to the utmost its evils. The manner and extent of regulation rest in the discretion of the governing authority." Crowley vs. Christensen, 137 U. S. Reports, pp. 89-91.

It is the opinion of the Court that the statutes of the Republic of Hawaii relating to the liquor traffic are in full force and effect excepting as they have been expressly repealed by the Legislature or the Organic Act, and that the section under which this defendant was indicted is in full force and effect, and that the defendant's motion to quash should be and it is hereby denied.

ARRIVED.

Tuesday, Oct. 20.

Smr. Kaulani, Dower, for Paauhau, Oahu, Kula, Maui, Laupahoehoe, Papaia and Paia, Maui.

S. S. Rosecrans, Johnson, for San Francisco, via Hilo.

Smr. Maui, F. Bennett, for Maui ports.

Smr. W. G. Hall, S. Thompson, for Kaula ports.

Gasco, Mr. E. E. Gahan, for Maui, Kula and Kona ports.

Wednesday, Oct. 21.

C. A. S. S. Aorangi, Phillips, from the Colonies, at 5:15 a. m.

Smr. Milahala, Gregory, from Kaula ports, at 1:05 a. m.

Smr. Kaula, Bruhn, from Kaula ports, at 4:29 a. m.

T. K. K. S. S. Nippon Maru, Green, from San Francisco, off port at 2 p. m.

Smr. Lehua, Bennett, from Molokai ports, 15 miles off Diamond Head, at 2 p. m.

Br. sp. Fleur de Lis, Christian, coming up channel at 2 p. m.

TO SAIL TODAY.

C. A. S. S. Aorangi, Phillips, for Victoria and Vancouver, at 3 p. m.

PASSENGERS ARRIVED.

From the Colonies, per S. S. Aorangi, Oct. 21.—Dr. L. H. Barker, Miss M. Barker, R. A. Kearns, B. Stewart, For Vancouver: T. E. Harrison, L. L. Alley, Mrs. Alley, A. Whybrow, R. W. Tooman, R. Metayer, H. W. Stevenson, Mrs. Stevenson, Master W. Stevenson, Mrs. A. Kinnear, J. H. Harlow, Mrs. Glischauer, M. Masters, Miss A. Norman, L. Watson, Mrs. L. Watson, J. Fanning, W. O. Fowler, J. Carter, Mrs. Miller, Miss F. Miller, Miss Freda Miller, J. O. Tenney, Mrs. Tenney, Master Tenney, E. M. Chalmers, Mrs. Chalmers and child, Mrs. S. Wade, A. Yaschenka, A. G. Kitchen, Rev. R. A. Campbell, D. G. Bain, Miss Duncan, Mrs. W. J. Luxford, Miss Luxford, T. Luxford, A. Allen, E. A. Roper, J. G. Walker, J. Seid, Mrs. Seid, Master J. Seid, Master F. Seid, Master M. Seid, E. Atherton, H. Krawski, G. L. Mott, F. Hargreaves, Mrs. G. Galloway, A. Holnecht, R. B. Beard, C. May, Mrs. Eastwell, Master P. Eastwell, Arnold Eastwell, Miss Sorenson, J. Nolan, J. Rowell, F. Maginnis, Master Hugh Maginnis, Master Frank Maginnis, Master Kennedy Maginnis, Miss Ranny Maginnis, Master James Maginnis, Miss Clara Maginnis, Miss Kate Maginnis, Miss Eliza Maginnis, Mrs. M. Baur, B. Harris, R. Mackie, A. Price, E. Price.

From Kaula ports, per Smr. Milahala, Oct. 21.—M. O'Shaughnessy, F. J. Cross, A. L. Church, Ah Lee, Captain Raub and seven seamen and 33 deck.

ARRESTS FOLLOW EVIDENCE

(Continued from Page 1.)

Breckons asked interesting riddles and the witnesses were remarkably bright at guessing the correct answers. Breckons has enough material to write a book on "Crime as I have Found It."

"Funny kind man," said one of the witnesses, after leaving the hypnotic presence; "he make question and me no can help make answer."

"All same kahuna," remarked another. This afternoon the grand jury again sits.

A wonderful new kodak has just been put on the market by the Eastman Kodak Co. and should interest every kodaker in Honolulu. Call at Honolulu Photo-Supply and see the new instrument. It takes pictures 2 1/2 x 3 1/2 and is fitted with some special new devices. Regular pocket folding shape.

When you run out of stationery call on Wall, Nichols Co. and get a box of their very latest writing material with a Hawaiian view on every sheet and envelope.

## SHIPPING INTELLIGENCE

## TIDES.

DAY	High Tide	Low Tide	High Tide	Low Tide	High Tide	Low Tide	High Tide	Low Tide
Monday	8:45 a. m.	2:45 p. m.	9:01 a. m.	3:01 p. m.	9:18 a. m.	3:18 p. m.	9:35 a. m.	3:35 p. m.
Tuesday	8:54 a. m.	2:54 p. m.	9:10 a. m.	3:10 p. m.	9:27 a. m.	3:27 p. m.	9:44 a. m.	3:44 p. m.
Wednesday	9:03 a. m.	3:03 p. m.	9:19 a. m.	3:19 p. m.	9:36 a. m.	3:36 p. m.	9:53 a. m.	3:53 p. m.
Thursday	9:12 a. m.	3:12 p. m.	9:28 a. m.	3:28 p. m.	9:45 a. m.	3:45 p. m.	10:02 a. m.	4:02 p. m.
Friday	9:21 a. m.	3:21 p. m.	9:37 a. m.	3:37 p. m.	9:54 a. m.	3:54 p. m.	10:11 a. m.	4:11 p. m.
Saturday	9:30 a. m.	3:30 p. m.	9:46 a. m.	3:46 p. m.	10:03 a. m.	4:03 p. m.	10:20 a. m.	4:20 p. m.
Sunday	9:39 a. m.	3:39 p. m.	9:55 a. m.	3:55 p. m.	10:12 a. m.	4:12 p. m.	10:29 a. m.	4:29 p. m.
Monday	9:48 a. m.	3:48 p. m.	10:04 a. m.	4:04 p. m.	10:21 a. m.	4:21 p. m.	10:38 a. m.	4:38 p. m.

New moon Oct. 20th, at 4:59 a. m. Tides from the United States Coast and Geodetic Survey Tables.

The tides at Kahului and Hilo occur about an hour earlier than at Honolulu.

Hawaiian Standard Time is 10h 30m slower than Greenwich time, being that of the meridian of 157.30. The time whistle blows at 1:30 p. m., which is the same as Greenwich, 0h 0m.

Weather Bureau, Honolulu, Oct. 21.—Temperature: Morning minimum, 67; midday maximum, 82. Barometer at 9 a. m., 29.97, rising. Rainfall, 0.0.

Dew Point, 66F. Humidity at 9 a. m., 69 per cent. Wind, light southerly air; weather, clear.

ARRIVED.

Tuesday, Oct. 20.

Smr. Kaulani, Dower, for Paauhau, Oahu, Kula, Maui, Laupahoehoe, Papaia and Paia, Maui.

S. S. Rosecrans, Johnson, for San Francisco, via Hilo.

Smr. Maui, F. Bennett, for Maui ports.

Smr. W. G. Hall, S. Thompson, for Kaula ports.

Gasco, Mr. E. E. Gahan, for Maui, Kula and Kona ports.

Wednesday, Oct. 21.

C. A. S. S. Aorangi, Phillips, from the Colonies, at 5:15 a. m.

Smr. Milahala, Gregory, from Kaula ports, at 1:05 a. m.

Smr. Kaula, Bruhn, from Kaula ports, at 4:29 a. m.

T. K. K. S. S. Nippon Maru, Green, from San Francisco, off port at 2 p. m.

Smr. Lehua, Bennett, from Molokai ports, 15 miles off Diamond Head, at 2 p. m.

Br. sp. Fleur de Lis, Christian, coming up channel at 2 p. m.

TO SAIL TODAY.

C. A. S. S. Aorangi, Phillips, for Victoria and Vancouver, at 3 p. m.

PASSENGERS ARRIVED.

From the Colonies, per S. S. Aorangi, Oct. 21.—Dr. L. H. Barker, Miss M. Barker, R. A. Kearns, B. Stewart, For Vancouver: T. E. Harrison, L. L. Alley, Mrs. Alley, A. Whybrow, R. W. Tooman, R. Metayer, H. W. Stevenson, Mrs. Stevenson, Master W. Stevenson, Mrs. A. Kinnear, J. H. Harlow, Mrs. Glischauer, M. Masters, Miss A. Norman, L. Watson, Mrs. L. Watson, J. Fanning, W. O. Fowler, J. Carter, Mrs. Miller, Miss F. Miller, Miss Freda Miller, J. O. Tenney, Mrs. Tenney, Master Tenney, E. M. Chalmers, Mrs. Chalmers and child, Mrs. S. Wade, A. Yaschenka, A. G. Kitchen, Rev. R. A. Campbell, D. G. Bain, Miss Duncan, Mrs. W. J. Luxford, Miss Luxford, T. Luxford, A. Allen, E. A. Roper, J. G. Walker, J. Seid, Mrs. Seid, Master J. Seid, Master F. Seid, Master M. Seid, E. Atherton, H. Krawski, G. L. Mott, F. Hargreaves, Mrs. G. Galloway, A. Holnecht, R. B. Beard, C. May, Mrs. Eastwell, Master P. Eastwell, Arnold Eastwell, Miss Sorenson, J. Nolan, J. Rowell, F. Maginnis, Master Hugh Maginnis, Master Frank Maginnis, Master Kennedy Maginnis, Miss Ranny Maginnis, Master James Maginnis, Miss Clara Maginnis, Miss Kate Maginnis, Miss Eliza Maginnis, Mrs. M. Baur, B. Harris, R. Mackie, A. Price, E. Price.

From Kaula ports, per Smr. Milahala, Oct. 21.—M. O'Shaughnessy, F. J. Cross, A. L. Church, Ah Lee, Captain Raub and seven seamen and 33 deck.

ARRESTS FOLLOW EVIDENCE

(Continued from Page 1.)

Breckons asked interesting riddles and the witnesses were remarkably bright at guessing the correct answers. Breckons has enough material to write a book on "Crime as I have Found It."

"Funny kind man," said one of the witnesses, after leaving the hypnotic presence; "he make question and me no can help make answer."

"All same kahuna," remarked another. This afternoon the grand jury again sits.

A wonderful new kodak has just been put on the market by the Eastman Kodak Co. and should interest every kodaker in Honolulu. Call at Honolulu Photo-Supply and see the new instrument. It takes pictures 2 1/2 x 3 1/2 and is fitted with some special new devices. Regular pocket folding shape.

When you run out of stationery call on Wall, Nichols Co. and get a box of their very latest writing material with a Hawaiian view on every sheet and envelope.

## Whitney &amp; Marsh, Ltd.

## GREAT DISPLAY, commencing MONDAY MORNING, of Ladies' TAILOR-MADE GARMENTS, just received from New York.

Silk Shirt Waist Suits, in Foulard and Shepherd checks, from \$10. Tailor-Made Suits, in all wool materials, from \$10.50. Also Walking Skirts, in newest designs. The latest styles of Waists. Metallic Dot Alpaca, in navy and cream, silk trimmed, at \$3.25. Pongee Silk Waists, elegantly made, open work stitching, unlined, at \$4.50. Black and White Stripes, in Glace Silk, unlined, at \$4.50. Butcher Linen Waists, elegantly embroidered, at \$4. Also, a full line of Wash Skirts in Linen, Holland, Butcher Linen and Pique.

## A Hard Proposition

HARDWARE IN EVERY LINE WE OFFER TODAY. NEW STOCK—NEW STYLES—NEW PRICES.

AT WHAT MANS?

## AT WHITMAN'S,

THE SPORTING GOODS HOUSE ON TWO STREETS. 928 FORT ST. OPEN SATURDAY NIGHT. 91 KING ST.

## Pianos

## WESTER-MAYER PIANOS

## AT Hoffschlaeger Co

## LIMITED, KING AND BETHEL STS.

## NEW - TO-DAY

## F.O.E.



The regular meeting of Honolulu Aerie, No. 140, F. O. E., will be held this Wednesday evening, at 7:30 o'clock at St. Antonio Hall.

Initiation. All visiting brothers are invited, and members requested to attend.

By order, H. T. MOORE, Secretary.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE TERRITORY OF HAWAII.

In the Matter of T. OCHIAI, ) In Bankruptcy. Bankrupt. )

To the Creditors of T. Ochial of Kapaia, Lihue, Island of Kauai, Territory of Hawaii:

NOTICE is hereby given that on the 9th day of October, 1903, the said T. Ochial was duly adjudicated bankrupt and that the first meeting of his creditors will be held at my office, 502 Stangenwald Building, in Honolulu, on the 24th day of October, at 9 a. m., at which time the said creditors may attend, examine the bankrupt, and transact such other business as may properly come before said meeting.

WILLIAM T. RAWLINS, Referee in Bankruptcy.

Honolulu, October 19, 1903. 2591-11

ASK YOUR GROCER FOR

## Diamond Polish

best for silverware, etc. Diamond Starch Enamel, unexcelled. Electric Stove Polish, can be used dry.

Dr. George Harris, president of Amherst College, told the educators in convention in Boston that if sports stopped at colleges and schools the moral tone would suffer.

The time is coming when you must have

Clothing Underwear Shirts Ties Sox Collars Hats Trunks and Valises

You can get what you want at

## J. LANDO'S

TWO STORES

152 Hotel St., near Union, and 931 Fort St., below King

Depot for the "Boss of the Road" Overalls

## FOR FAMILY USE

Nobody wants anything but pure wines and liquors. A man has the same pride in this as he has in the purity of the bread he eats. When you want an article upon the purity and quality of which you can depend, come to

## Thos. F. McTighe &amp; Co.,

WHOLESALE WINE AND LIQUOR MERCHANTS. 93 AND 95 KING STREET.

Phone Main 140

## WOMAN'S EXCHANGE

HOTEL ST., NEXT DOOR TO BENSON & SMITH'S.

The best assortment of Samoan Kapas hand-made Kou Calabashes, Java Mats and enamelled jewelry in town. Call and see for yourself.

## JAS. F. MORGAN

Auctioneer and Broker, 847-857 Kaahumanu Street.

P. O. BOX 594. TELEPHONE 72.

## Across the Continent

## NEW OVERLAND LIMITED

CHICAGO to NEW YORK

LESS THAN 3 DAYS

3 DAYS 19 HOURS

LUXURIOUS EVERY DAY TRAIN

Bath, Barber, Buffet, Library, Electric Reading Lamps in every Booth, Observation Car, Telephone Service. " " " " " "

## SOUTHERN PACIFIC

E. O. McCORMICK, Passenger Traffic Manager.

T. H. GOODMAN, General Passenger Agent.

SAN FRANCISCO to CALIFORNIA 5-10-08

## Castle &amp; Lansdale

FIRE AND PLATE GLASS INSURANCE.

REAL ESTATE AND INVESTMENTS.

STANGENWALD BLDG., Phone Main 70. Rooms 506-507.

## Fine Residence For Sale.

I offer at private sale one of the finest residences in Manoa. Nearly one acre of land, all improved, a well-built, large dwelling house. Commands about the finest view of sea and shore to be obtained. For particulars apply to

## Jas. F. Morgan,

AUCTIONEER.

\$3,000.00, EASY TERMS.

## C. W. ASHFORD,

## A Democrat

Home Rule Candidate for Supervisor, Fourth District, will, if elected, advocate: